

MANDATE
United States Court of Appeals
For the First Circuit

No. 07-1443

EBEN ALEXANDER III, M.D.,

Plaintiff, Appellant,

v.

BRIGHAM AND WOMEN'S PHYSICIANS ORGANIZATION, INC., ET AL.,

Defendants, Appellees.

JUDGMENT

Entered: January 23, 2008

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The judgment of the district court is affirmed, and the appellant's prayer for attorneys' fees under 29 U.S.C. § 1132(g) is denied as moot.

Costs are taxed in favor of Appellees
in the amount of \$62.14.

By the Court:

**Certified and Issued as Mandate
under Fed. R. App. P. 41.**

Richard Cushing Donovan, Clerk


Deputy Clerk

Richard Cushing Donovan, Clerk

Date: 2/21/08

[cc: Ms. Cook, Mr. Paris, Mr. Casey, & Mr. Keating.]